

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	M.B.D. Case No. 21-mc-91748-RGS
)	
MANUEL RODERICK,)	
)	
Defendant.)	

MOTION FOR ENDS-OF-JUSTICE CONTINUANCE
OF TIME FOR FILING AN INDICTMENT OR INFORMATION,
AND EXCLUSION OF TIME,
UNDER THE SPEEDY TRIAL ACT

The United States of America, by and through Assistant United States Attorney Philip Cheng, respectfully move this Court to grant a continuance of the time within which an indictment or information must be filed, and exclude the time period from November 30, 2021, through and including December 30, 2021, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial. The government further ask this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the government states as follows:

1. The defendant was charged by complaint with one count of possession with intent to distribute 40 grams or more of fentanyl, in violation of 21 U.S.C. § 841(a)(1); in United States v. Manuel Roderick, Case No. 21-mj-2741-MBB.

2. Counsel for the government is unavailable between December 22, 2021 and January 3, 2022 due to the holidays and previously scheduled leave. Further, the government anticipates the grand jury will be unavailable between December 20, 2021 and January 3, 2022 due to the holidays.

3. If the requested time is excluded, the government has until January 30, 2022 to return an indictment in this case.

4. The defendant is detained in this matter.

5. The government certifies that it has conferred with counsel for the defendant, John F. Palmer, Esq, pursuant to Local Rule 7.1(a)(2). The defendant opposes this request.

6. A proposed order is attached.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By: /s/ Philip C. Cheng
Philip C. Cheng
Assistant U.S. Attorney

Certificate of Service

I hereby certify that this document was served to counsel via email on December 17, 2021.

By: /s/ Philip C. Cheng
Philip C. Cheng
Assistant U.S. Attorney